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SENATE BILL 935

**48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007**

INTRODUCED BY

Joseph J. Carraro

AN ACT

RELATING TO PUBLIC SCHOOLS; PROVIDING FOR THE PHASED  
ELIMINATION OF PORTABLE BUILDINGS USED FOR CLASSROOMS ON PUBLIC  
SCHOOL CAMPUSES; PROVIDING EXCEPTIONS; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Public School Code is  
enacted to read:

"[NEW MATERIAL] USE OF PORTABLES FOR CLASSROOMS PHASED  
OUT--EXCEPTIONS.--

A. Except as provided in Subsection C of this  
section, school districts shall phase out the use of portable  
buildings used for classrooms on the following schedule:

(1) for kindergarten through grade three by  
August 8, 2009;

(2) for grades four through six by August 8,

underscored material = new  
[bracketed material] = delete

1 2010;

2 (3) for grades seven through nine by August 8,  
3 2011; and

4 (4) for grades ten through twelve by August 8,  
5 2012.

6 B. The department shall oversee the elimination of  
7 portable buildings used as classrooms.

8 C. The department may approve the use of portable  
9 buildings for classrooms on a temporary basis not to exceed two  
10 years from the date the first class began using the building."

11 Section 2. APPROPRIATION.--One hundred sixty million  
12 dollars (\$160,000,000) is appropriated from the general fund to  
13 the public school capital outlay fund for expenditure in fiscal  
14 year 2008 and subsequent fiscal years for the first year of the  
15 phased elimination of portable buildings used for classrooms.  
16 Any unexpended or unencumbered balance remaining at the end of  
17 a fiscal year shall not revert to the general fund.